



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/498,627 | 02/07/2000 | Hiroyuki Takahashi | 35.C14383 | 9072 |

5514 7590 02/17/2004

FITZPATRICK-CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

EBRAHIMI DEHKORDY, SAEJD

ART UNIT PAPER NUMBER

2626

DATE MAILED: 02/17/2004

h

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/498,627

Applicant(s)

TAKAHASHI, HIROYUKI

Examiner

Saeid Ebrahimi-dehKordy

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-133 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-31,40-47,56-86 and 95-125 is/are rejected.
- 7) ☒ Claim(s) 32-39,48-55,87-94 and 126-133 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claim 1-31,40-47,56-86 and 95-125 are rejected under 35 U.S.C. 102(e) as being anticipated by Leiman et al (U.S. patent (6,469,796)

Regarding claim 1,40,56 and 95 Leiman et al disclose: An information processing apparatus, which is capable of communicating with a plurality of image processing apparatuses connected to a network (please note Fig.2 column 3 lines 50-57) comprising: communication means for exchanging with said image processing apparatuses device data concerning said image processing apparatuses (please note Fig.6 column 7 lines 1-16 where the GUI is communicating between the user and the printers) and display control means for arranging said image processing apparatuses and for displaying corresponding device data on a display unit (please note Fig.27 column 8 lines 58-67 and column 9 lines 1-4) wherein said display control means assigns ranks for said image processing apparatuses based on a condition selected by a user and displays said corresponding device data (please note Fig.6 column 7 lines 7-16 where the coloring of the printers identifies the ranking of the printers whether the printer is disable or idle or paused or drained).

Regarding claim 2,41,57 and 96 Leiman et al disclose: An information processing apparatus according to claim 1, wherein to display said device data, said display control

Art Unit: 2626

means arranges said image processing apparatuses in the descending order or in the ascending order of said ranks to which said image processing apparatuses have been assigned (please note column 8 lines 58-67).

Regarding claim 3,58 and 97 Leiman et al disclose: An information processing apparatus according to claim 7, wherein said display control means uses a graph to display said device data (please note column 9 lines 1-4).

Regarding claim 4,42,59 and 98 Leiman et al disclose: An information processing apparatus according to claim 1, further comprising: condition selection means for selecting one of a plurality of conditions, wherein to display said device data said display control means ranks said image processing apparatuses based on said condition selected by said condition selection means (please note column 8 lines 63-67 and column 9 lines 1-5).

Regarding claim 5,43,60 and 99 Leiman et al disclose: An information processing apparatus according to claim 1, further comprising: apparatus selection means, for selecting one of said image processing apparatuses for which said device data are displayed by said display control means wherein said display control means displays on said display unit, device data for said image processing apparatus selected by said apparatus selection means (please note column 8 lines 63-67 and 9 lines 1-4).

Regarding claim 6,61 and 100 Leiman et al disclose: An information processing apparatus according to claim 1, wherein said device data are capacity data for said image processing apparatus (please note Fig.27 column 8 lines 58-65).

Art Unit: 2626

Regarding claim 7,62 and 101 Leiman et al disclose: An information processing apparatus according to claim 1, wherein, to display said device data said display control means ranks said image processing apparatuses based on the physical distance separating said information processing apparatus and each of said image processing apparatuses (please note column 7 lines 5-16).

Regarding claim 8,63 and 102 Leiman et al disclose: An information processing apparatus according to claim 1, wherein, to display said device data said display control means ranks said image processing apparatuses based on the printing speed of each of said image processing apparatuses (please note column 9 lines 5-16).

Regarding claim 9,64 and 103 Leiman et al disclose: An information processing apparatus according to claim 1, wherein, to display said device data, said display control means ranks said image processing apparatuses based on the reliability of each of said image processing apparatuses (please note column 7 lines 5-16).

Regarding claim 10,65 and 104 Leiman et al disclose: An information processing apparatus according to claim 1, wherein, to display said device data, said display control means ranks said image processing apparatuses based on the number of paper jams that have occurred in each of said image processing apparatuses (please note column

Regarding claim 11,66 and 105 An information processing apparatus according to claim 1, wherein, to display said device data, said display control means ranks said image processing apparatuses based on the number of errors that have occurred in each of said image processing apparatuses.

Art Unit: 2626

Regarding claim 12,67 and 106 Leiman et al disclose: An information processing apparatus according to claim 1, wherein, to display said device data, said display control means ranks said image processing apparatuses based on the printing cost incurred when using each of said image processing apparatuses (please note column 3 lines 10-24).

Regarding claim 13,68 and 107 Leiman et al disclose: An information processing apparatus according to claim 12, wherein said printing cost is the cost per sheet output by each of said image processing apparatuses (please note column 3 lines 16-24).

Regarding claim 14,69 and 108 Leiman et al disclose: An information processing apparatus according to claim 12, wherein said printing cost is an initial cost or an operating cost for each of said image processing apparatuses (please note column 3 lines 10-27).

Regarding claim 15,70 and 109 Leiman et al disclose: An information processing apparatus according to claim 1, wherein, to display said device data, said display control means ranks said image processing apparatuses based on either the sales time, the purchase time, the rental time, the use start time, the scheduled use end time, or available for use times for each of said image processing apparatuses (please note column 7 lines 34-39).

Regarding claim 16,71 and 110 Leiman et al disclose: An information processing apparatus according to claim 1, wherein, to display said device data, said display control means ranks said image processing apparatuses based on either the replacement time, the use start time, the service life, or the next replacement time for

Art Unit: 2626

consumable goods for each of said image processing apparatuses (please note column 8 lines 58-65).

Regarding claim 17,44,72 and 111 Leiman et al disclose: An information processing apparatus, which is capable of communicating with a plurality of image processing apparatuses connected to a network (please note Fig.2 column 3 lines 50-57) comprising: communication means, for exchanging with said image processing apparatuses device data for said image processing apparatuses (please note Fig.6 column 7 lines 1-16 where the GUI is communicating between the user and the printers) and display control means for arranging said image processing apparatuses and for displaying corresponding device data on a display unit (please note Fig.27 column 8 lines 58-67 and column 9 lines 1-4) wherein said display control means displays device data for only one part of said image processing apparatuses (please note column 8 lines 58-62).

Regarding claim 18,45,73 and 112 Leiman et al disclose: An information processing apparatus according to claim 17, wherein said display control means displays device data only for image processing apparatuses that satisfy a condition selected by a user (please note column 5 lines 49-61).

Regarding claim 19,46,74 and 113 Leiman et al disclose: An information processing apparatus according to claim 18, further comprising: condition selection means, for selecting one of a plurality of conditions, wherein said display control means displays device data only for image processing apparatuses that satisfy said condition

that is selected by said condition selection means (please note Fig.20 column 8 lines 5-12).

Regarding claim 20,47,75 and 114 Leiman et al disclose: An information processing apparatus according to claim 17, further comprising: apparatus selection means, for selecting one of said image processing apparatuses for which said device data are displayed by said display control means wherein said display control means displays on said display unit device data for said image processing apparatus selected by said apparatus selection means (please note column 8 lines 58-65).

Regarding claim 21,76 and 115 Leiman et al disclose: An information processing apparatus according to claim 17, wherein said device data are data reflecting the capacities of said image processing apparatus (please note column 8 lines 58-63).

Regarding claim 22,77 and 116 Leiman et al disclose: An information processing apparatus according to claim 17, wherein said display control means displays device data only for an image processing apparatus for which the physical distance separating said image processing apparatus and said information processing apparatus does not exceed a reference range (please note column 7 lines 41-50).

Regarding claim 23,78 and 117 Leiman et al disclose: An information processing apparatus according to claim 17, wherein said display control means displays device data only for an image processing apparatus having a printing status of ready (please note Fig.9 column 7 lines 33-39).

Regarding claim 24,79 and 118 Leiman et al disclose: An information processing apparatus according to claim 17, wherein said display control means displays device

data only for an image processing apparatus that has a facsimile function (please note column 7 lines 55-66).

Regarding claim 25,80 and 119 Leiman et al disclose: An information processing apparatus according to claim 17, wherein said display control means displays device data only for an image processing apparatus that has a scanner function (please note column 8 lines 10-18).

Regarding claim 26,81 and 120 Leiman et al disclose: An information processing apparatus according to claim 17, wherein said display control means displays device data only for an image processing apparatus that has a finisher function (please note column 7 lines 16-25).

Regarding claim 27,82 and 121 Leiman et al disclose: An information processing apparatus according to claim 17, wherein said display control means displays device data only for an image processing apparatus for which the evaluated reliability is not less than that represented by the lower limit of a reference range (please note column 7 lines 40-65).

Regarding claim 28,83 and 122 Leiman et al disclose: An information processing apparatus according to claim 17, wherein said display control means displays device data only for an image processing apparatus for which the number of paper jams does not exceed the upper limit: of a reference range (please note column 5 lines 11-19).

Regarding claim 29,84 and 123 Leiman et al disclose: An information processing apparatus according to claim 17, wherein said display control means displays device

Art Unit: 2626

data only for an image processing apparatus for which the number of the errors does not exceed the upper limit of a reference range (please note column 5 lines 49-61).

Regarding claim 30,85 and 124 Leiman et al disclose: An information processing apparatus according to claim 17, wherein, based on whether double-sided or single-sided printing is enabled, or on an available paper size or an available recording sheet that is to be handled, said display control means displays only an image processing apparatus that satisfies a predetermined condition (please note column 8 lines 5-17).

Regarding claim 31,86 and 125 Leiman et al disclose: An information processing apparatus according to claim 17, wherein, based on one determining factor the direction the thickness the color or the material of a recording sheet said display control means displays only an image processing apparatus that satisfies a predetermined condition (please note column 7 lines 34-40).

Allowable Subject Matter

2. Claim 32-39,48-55,87-94 and 126-133 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Contact Information

➤ Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Saeid Ebrahimi-Dehkordy* whose telephone number is (703) 306-3487.

Art Unit: 2626

The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 5:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams, can be reached at (703) 305-4863.

Any response to this action should be mailed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

Or faxed to:

(703) 872-9306, or (703) 308-9052 (for **formal** communications; please mark
"EXPEDITED PROCEDURE")

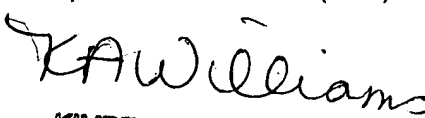
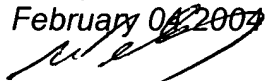
Or:

(703) 306-5406 (for **informal** or **draft** communications, please label
"PROPOSED" or "DRAFT")

Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 305-4750.

Saeid Ebrahimi-Dehkordy
Patent Examiner
Group Art Unit 2626
February 04, 2004



KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER